

releasably locking said end of the step and platform to the next adjacent rung includes a retractable, spring loaded rod member arranged on the second end of said extending side members opposite said first transversely arranged member.

12. The step and platform for use with a ladder as set forth in Claim 11 and the rungs of the ladder being provided with a rod receiving element.

13. The step and platform for use with a ladder as set forth in Claim 11 and the rungs of the ladder being provided with a rod receiving aperture.

14. The step and platform for use with a ladder as set forth in Claim 9 wherein the first and second transversely extending members are of a length lesser than the diagonal distance between adjacent rungs of the ladder.

15. The step and platform for use with a ladder as set forth in Claim 9 and at least a portion of the spaced side members having a load support member extending therebetween.

#### Remarks

Claims 1-8 were rejected on the basis of 35 U.S.C 102(b) as being clearly anticipated by Newman. As clearly claimed, the transverse members of Applicant both are greater than the dimension between stiles so as to abut therewith in the two named positions. Only the transverse member 20 of Newman is greater than such dimension. Transverse member 18 is of a lesser dimension. Further, the locking means 60 of Newman does not interact with a climbing rung. It locks into the rotatable wheel member which controls position of the platform.

Claims 1,2, 7 and 8 were rejected on the basis of 35 U.S.C.102(b) as being clearly

anticipated by Wirth. Only the transverse member 9 of Wirth contacts the stiles of the ladder. The additional support required to the platform is obtained from the turn-buckle 16 which requires that an additional rung of the ladder be utilized. Self support is not obtained by a pair of transverse members which engage the stiles of the ladder structure.

Claims 3-5 were rejected under 35 U.S.C. 103(a) on the basis of a combination of Wirth and Peters. It should be noted that the present Claims to which this rejection would appear to be applicable would be Claims 11, 12 & 13. These structures illustrate units that require that two rungs be utilized in use of the units. Applicant only uses his spring loaded pin arrangement to lock the step and platform in its stile aligned position. The references utilize the adjacent rungs for use of the article as a step and as a means for securing the step to rung. When applicant brings his spring loaded connector into operation, it is when the device is not being used as a step or platform.

Claims 1-8 were similarly rejected under 35 U.S.C. 112 as being indefinite. The limitations contained in the claims are believed to define various dimensions of the step and platform as it is adapted for use with a ladder of any type having stiles and rungs. Original Claim 7 has been canceled and a similar claim does not appear in the newly drafted Claims. The terms depth and width do not limit the ladder to having rectangular stiles and rungs as round or oval stiles or rungs would still provide depth and width. The references to the ladder are to afford the user of the invention with totally understanding of the operation of the same and how the invention is supported solely by engagement of its elements with those of a ladder.

Applicant believes that the Claims as now drafted clearly reflect the invention and are in the proper scope so as to afford the rapid issuance of a Notice of Allowance of the same.

Respectfully submitted,

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